



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
VERNAL DISTRICT OFFICE
170 SOUTH 500 EAST
VERNAL, UTAH 84078



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OIL, GAS & MINING

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APR 30 1990

Mr. John Laursen
Chevron Chemical Co.
Manila Star Route
Vernal, Utah 84078

Dear Mr. Laursen:

On 01/31/90 Chevron submitted a proposal to this office to amend an approved plan of operation under which Chevron has been operating since 1986. This proposed plan amendment is hereby approved, contingent upon the following stipulations:

1. Borrow material may be removed from proposed borrow areas 1 and 2 on mill site SMS #19-A. Borrow removal from this mill site is authorized only as long as plans remain in place for the continued occupancy by a portion of the tailings dam (a valid mill site use).
2. Borrow may be removed from borrow areas 3, 4, 5 and 9 based upon the following conditions.
 - a. Borrow material above the ultimate high water level of the tailings pond, 5963 feet, including above the realigned 5963 ft. contour in borrow areas 3, 5 and 9 is not authorized. Above this contour only back sloping for stabilization is authorized.
 - b. The inclined roadway which was constructed to the top of the proposed borrow area 9 will require reclamation above the 5963 ft. contour.
 - c. It has been determined that the realignment of the 5963 contour and the removal of borrow below that contour effectively increases the capacity of the tailings pond. Under this circumstance, the removal of borrow material to be used in construction of the tailings pond retention dam appears to be appropriate under the Act of July 23, 1955 (30 USC 612), also known as the Surface Resources Act. Otherwise, material removed from a mill site must be used in support of mining or milling

W. Hedley wants to see file
W. Hedley: what does this do to our bond: LMS 5-3

purposes on that mill site. It has also been determined that removal of borrow does not in itself constitute a valid mining or milling use or occupancy.

3. Borrow removal proposed from mill site SMS #20-A cannot be approved. This mill site is not used or occupied nor is it intended to be used or occupied for valid mining or milling purposes as specified in either the original plan or the proposed plan amendment.

The existing borrow area disturbance on this mill site will require reclamation to the standards contained in the plan amendment for borrow areas 1 and 2.

4. Borrow material removed from the mill sites is limited for use in the construction of the tailings dam and cannot be sold.
5. You are advised that ancient reptile trackways and vertebrate fossil remains may exist on the mill sites, in the Moenkopi Formation, and could be disturbed or uncovered by borrow activity. Occurrence of either is rare in the Moenkopi Formation and is considered scientifically important.

Scientifically important paleontological remains are protected under 43 CFR 3809.2-2(e). Under these regulations Chevron should immediately contact Dave Plume or Blaine Phillips of this office upon the discovery of any trackways or vertebrate fossil remains.

The mill sites were inspected for trackways and bone material on 03/18/90 by Sue Ann Bilby (Utah Field House of Natural History), Blaine Phillips (Vernal District Archaeologist), and Peter Sokolosky (Vernal District Geologist). It was concluded that the thin sandstone layer containing the known trackways does not extend onto the mill sites. The best potential for trackways in the Moenkopi formation exists where sandstones of less than 12 inches in thickness overlie shaley layers.

Please contact Dave Plume or Peter Sokolosky and they can arrange to show you examples of trackways and bone material from the Moenkopi Formation.

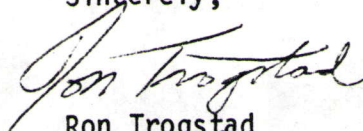
6. The BLM manages the leasable minerals under the mill sites. It is expected the borrow excavations will be conducted in a manner which will not impair the leasable mineral estate including, but not limited to, phosphate and oil and gas.
6. The conditions which Chevron has agreed to, as part of the 1986 approved plan of operation, remain in force.

Approval of this plan will not now or in the future serve as a determination of the ownership or the validity of any mill sites to which it may relate.

You have the right to appeal to the Utah State Director in accordance with 43 CFR 3809.4. If you exercise this right your appeal, accompanied by a

statement of reasons and any argument you wish to present which would justify reversal or modification of the decision, must be filed in writing at this office within thirty (30) days after the date of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Trogstad".

Ron Trogstad
Area Manager
Diamond Mountain Resource Area

~~cc: Lowell Braxton, Utah Division of Oil, Gas and Mining~~